

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IN RE:)	CASE NO: 16-42442-659
PAUL M WOJCIECHOWSKI)	Chapter 13
MARY E WOJCIECHOWSKI)	Re: Objection to Claim 21 filed by
)	SUSAN H MELLO
)	Acct:
)	Amount: \$30,492.50
Debtors)	Response Due: November 11, 2016
)	

TRUSTEE'S OBJECTION TO CLAIM 21

COMES NOW John V. LaBarge, Jr., Standing Chapter 13 Trustee in Bankruptcy, and for his objection to claim states as follows:

The claim of SUSAN H MELLO dated July 28, 2016, should be denied as filed because the claim fails to clearly identify the asset or assets of the bankruptcy estate in which the creditor claims a security interest and is not accompanied by a copy of the writing on which the claim is based. It appears the Creditor claims a security interest in real estate, a pre-petition tax refund that was received and expended prior to filing of the bankruptcy petition, and Mr. Wojciechowski's future earnings on the authority of RSMo 434.130, which provides an attorney's lien in "a judgment in [the attorney's] client's favor, and the proceeds thereof. The relevant judgment appears to be the December 10, 2015 modification judgment entered in Mr. Wojciechowski's dissolution proceeding, which judgment did not award any property or order any payments be made to Debtor.

WHEREFORE Trustee prays the Court will enter its order sustaining this objection.

NOTICE OF FILING OF OBJECTION TO CLAIM

Please take notice that the Chapter 13 Trustee has filed an objection to your claim. Any responsive pleading in opposition to the above objection must be filed in writing with the clerk of the U.S. Bankruptcy Court, 111 S 10TH ST 4TH FL, ST LOUIS, MO 63102, and with the Chapter 13 Trustee at the address indicated below, within 21 days of the date of this notice. If no responsive pleading is filed, the objection may be sustained and the claim disallowed or modified without further notice to any party upon submission of an order from the Trustee. If a response is filed, this matter will be set for hearing upon subsequent notice.

Dated: October 21, 2016

OBJCLM--JS

/s/ John V. LaBarge, Jr.

John V. LaBarge, Jr.

Standing Chapter 13 Trustee

P.O. Box 430908

St. Louis, MO 63143

(314) 781-8100 Fax: (314) 781-8881

trust33@ch13stl.com

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The undersigned hereby certifies that a copy of the foregoing was served upon the following either through the court's ECF system or by ordinary mail, postage pre-paid, on this day of October 21, 2016.

/s/ John V. LaBarge, Jr.

PAUL M WOJCIECHOWSKI
MARY E WOJCIECHOWSKI
636 UNDERCLIFF DR
HAZELWOOD, MO 63042

SUSAN H MELLO
7751 CARONDELET
#403
CLAYTON, MO 63105

ANGELA REDDEN-JANSEN
3350 GREENWOOD BLVD
C/O O'GORMAN & SANDRONI PC
MAPLEWOOD, MO 63143